

REMARKS

Claims 1-7 are now pending in the application. By this paper, Claims 1-5 have been amended and Claims 6-7 have been added. The basis for these amendments can be found throughout the specification, claims, and drawings originally filed. No new matter has been added. The preceding amendments and the following remarks are believed to be fully responsive to the outstanding Office Action and are believed to place the application in condition for allowance.

The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 112

Claims 1-5 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. Applicants have removed the terms "for mounting an engine in a vehicle frame, said engine having a theoretical roll axis" from the preamble of Claim 1. Independent Claim 1 now calls for a "vibration isolation support assembly." Reconsideration and withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 102

Claims 1, 2, and 5 are rejected under 35 U.S.C. § 102(b) as being anticipated by Sullivan (U.S. Pat. No. 2,925,972).

This rejection is respectfully traversed.

Independent Claim 1 calls for a vibration isolation support assembly including a

first component bracket having a first boss and a second component bracket having a second boss. See Specification at pg. 5, Ins. 10-13 and FIG. 1. The first component bracket is fixed to a first vehicle component and the second component bracket is fixed to a second vehicle component. See Specification at pg. 5, Ins. 6-13 and FIG. 1. An isolator is mounted over the first boss of the first component bracket and mounted over the second boss of the second component bracket and absorbs vibration associated with relative movement between the first vehicle component and the second vehicle component. See Specification at pg. 5, Ins. 10-13 and FIG. 1.

In contrast, Sullivan and Shimada, either in combination or alone, fail to provide any suggestion for mounting an isolator over a boss, let alone mounting to a first boss of a first component bracket and to a second boss of a second component bracket, as set forth in amended Claim 1.

More specifically, Sullivan discloses a motor mount (M) having a rubber-like material (10) concentrically arranged between a pair of encircling, contiguous, outside and inside metal shells (11, 12). See Sullivan at Col. 1, Ins. 67-70. The motor mount is attached to a mounting bracket (41) of a front frame cross-member (14) by stud (38) and nut (42) arrangement. See Sullivan at Col. 3, Ins. 70-75 and FIG. 3. In this manner, Sullivan fails to disclose the use of a boss to mount the isolator to a vehicle component bracket.

Shimada discloses an elastic member (10) for use in an exhaust system of a vehicle. See Shimada at Col. 2, Ins. 59-66 and FIG. 1. The elastic member is disposed between a car body (4) and a mounting bracket (9) and is attached to the mounting bracket by "hooked projections" (11). See Shimada at Col. 2, Ins. 23-38 and FIG. 1. In

this manner, Shimada also fails to disclose an isolator mounted to a boss of a vehicle component bracket.

Because Sullivan and Shimada fail to teach an isolator mounted to a boss of a vehicle component bracket, Applicants respectfully submit that Sullivan and Shimada fail to teach each and every element of the present invention. Accordingly, Applicants respectfully submit that independent Claim 1, as well as Claims 2-5, dependent therefrom, are in condition for allowance. Therefore, reconsideration and withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Shimada in view of U.S. Pat. No. 5,829,732 to Yamaguchi et al.

Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Shimada in view of U.S. Patent No. 4,817,909 to Deane.

These rejections are respectfully traversed.

Independent Claim 1 is believed to be in condition for allowance in light of the remarks contained above. Because Claims 3 and 4 respectively depend from independent Claim 1, defendant Claims 3 and 4 should similarly be in a condition for allowance for at least the same reasons. Therefore, reconsideration and withdrawal of the rejection is respectfully requested.

NEW CLAIMS

New Claims 6 and 7 are added for consideration. New Claims 6 and 7 depend

from independent Claim 1 and are therefore believed to be in condition for allowance in light of the foregoing remarks.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 944-6526.

Respectfully submitted,

Dated: 5-24-05

By:


Matthew H. Szalach, Reg. No. 53,665
(248) 944-6526
Attorney for Applicants

Ralph E. Smith
CIMS 483-02-19
DaimlerChrysler Intellectual Capital Company LLC
DaimlerChrysler Technology Center
800 Chrysler Drive
Auburn Hills, MI 48326-2757
248-944-6519